

MINUTE ITEM
This Calendar Item No. C16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 2
to 0 at its 5-9-88
meeting.

CALENDAR ITEM

A 3
S 1

C 16

05/09/88
W 23980 PRC 7202
Fong

GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: American Telephone and
Telegraph Company
P.O. Box 121, Suite 1033-G
Pleasanton, California 95466

AREA, TYPE LAND AND LOCATION:
A 1.31-acre parcel, more or less, of State
school land, located near Truckee, Nevada
County.

LAND USE: Installation, operation, and maintenance of a
fiber optic communication cable.

TERMS OF PROPOSED LEASE:
Initial period: 49 years beginning May 9,
1988.
Public liability insurance: Combined single
limit coverage of \$1,000,000.

Special: 1) AT&T will provide an
"as-built" survey and legal
description to replace the
description in Section 3 of
the lease document;
2) AT&T will provide "excess
capacity" consistent with
Nevada County's ordinances
and United States Forest
Service requirements within
the right-of-way for the
consolidation of future fiber
optic cables.

(CALENDAR ITEM NO. C 16 CONT'D)

CONSIDERATION: \$412 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
N/A.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and environmental costs have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 07/20/88.

OTHER PERTINENT INFORMATION:

1. The American Telegraph and Telephone Company (AT&T) proposed buried fiber optic cable project would provide fiber optic communications service from Cheyenne, Wyoming to Sacramento, California. The use of the fiber optic technology, with its higher capacity and quality for sound and digital data transmission, will enable the diversification and increased capacity of AT&T's system.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15025), the staff has caused to be prepared an EIR, State Clearinghouse No. 87050408. Such EIR was prepared and circulated for public review pursuant to the provisions of the CEQA.
3. No significant adverse environmental effects were identified in the EIR.

(CALENDAR ITEM NO. C 16 CONT'D)

FURTHER APPROVALS REQUIRED:

California Regional Water Quality Control
Board, Lahontan Region.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Executive Summary - EIR

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT AN EIR, STATE CLEARINGHOUSE NO. 87050408, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE ISSUANCE TO THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY OF A 49-YEAR GENERAL LEASE - RIGHT-OF-WAY USE BEGINNING MAY 9, 1988; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$412, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; AT&T WILL PROVIDE AN "AS-BUILT" SURVEY AND LEGAL DESCRIPTION TO REPLACE THE DESCRIPTION IN SECTION 3 OF THE LEASE DOCUMENT; AT&T WILL PROVIDE "EXCESS CAPACITY" WITHIN THE RIGHT-OF-WAY FOR THE CONSOLIDATION OF FUTURE FIBER OPTIC CABLES CONSISTENT WITH APPROPRIATE LOCAL ORDINANCES AND UNITED STATES FOREST SERVICE REQUIREMENTS; FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF A FIBER OPTIC COMMUNICATIONS CABLE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(Non-substantive Revision 10/6/88)

-3-

CALENDAR PAGE	61
MINUTE PAGE	1393

EXHIBIT "A"

LAND DESCRIPTION

W 23980

A strip of land 20 feet wide in the NE 1/4 of Section 36, T18N, R16E, MDM, Nevada County, California, said strip being more particularly described as follows:

BEGINNING at a point on the north line of said Section 36 bearing N 88°02'14" E, 1222 feet, more or less, from the northwest corner of said NE 1/4; thence S 18°32'30" W, 2845.12 feet, more or less, to a point on the south line of said NE 1/4 bearing N 89°41'45" E, 205 feet, more or less, from the southwest corner of said NE 1/4, and the end of the herein described line.

END OF DESCRIPTION

PREPARED JANUARY 22, 1988, BY BIU 1.

0694b

CALENDAR PAGE	62
MINUTE PAGE	1394

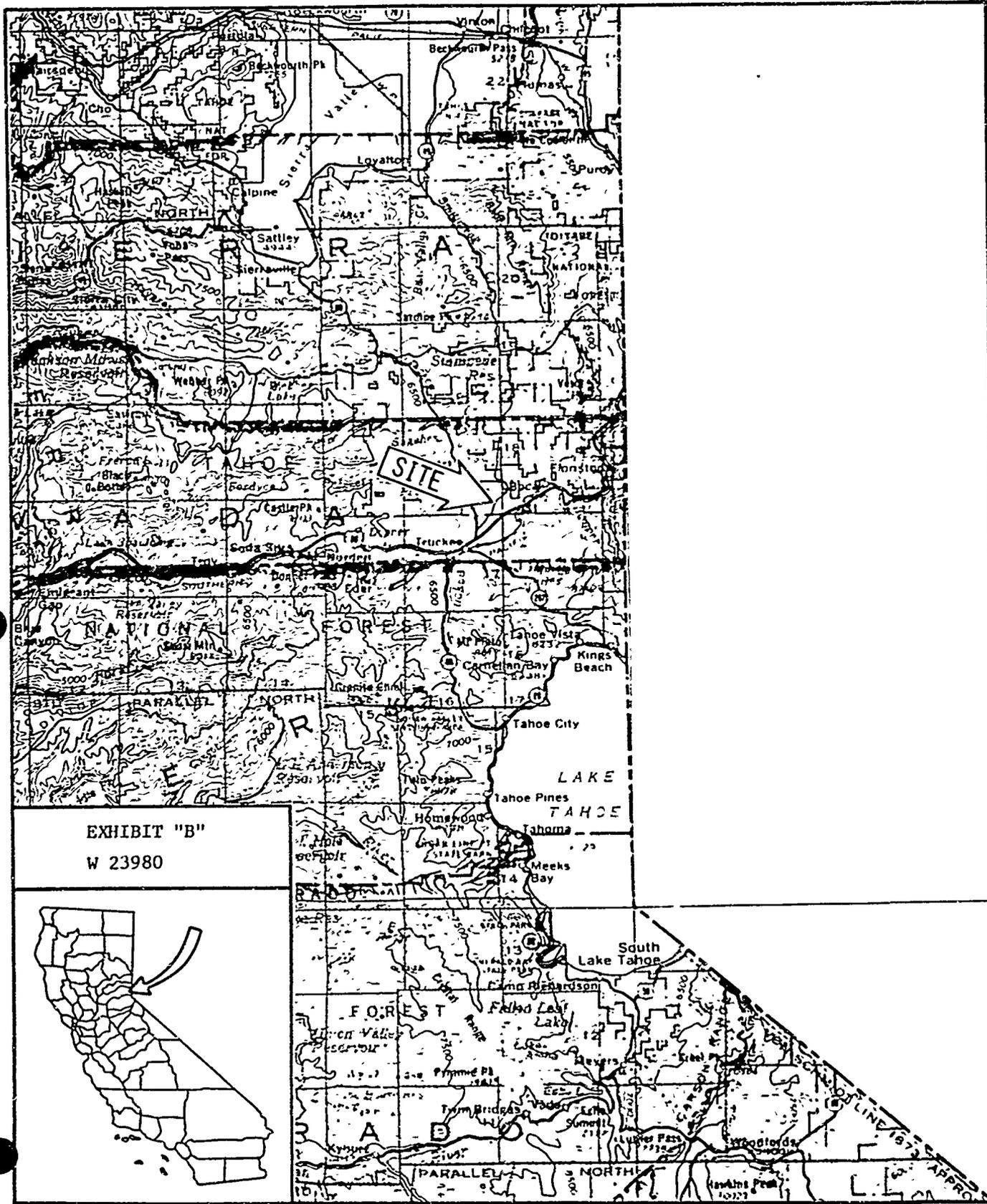


EXHIBIT "B"
W 23980



1.0 SUMMARY

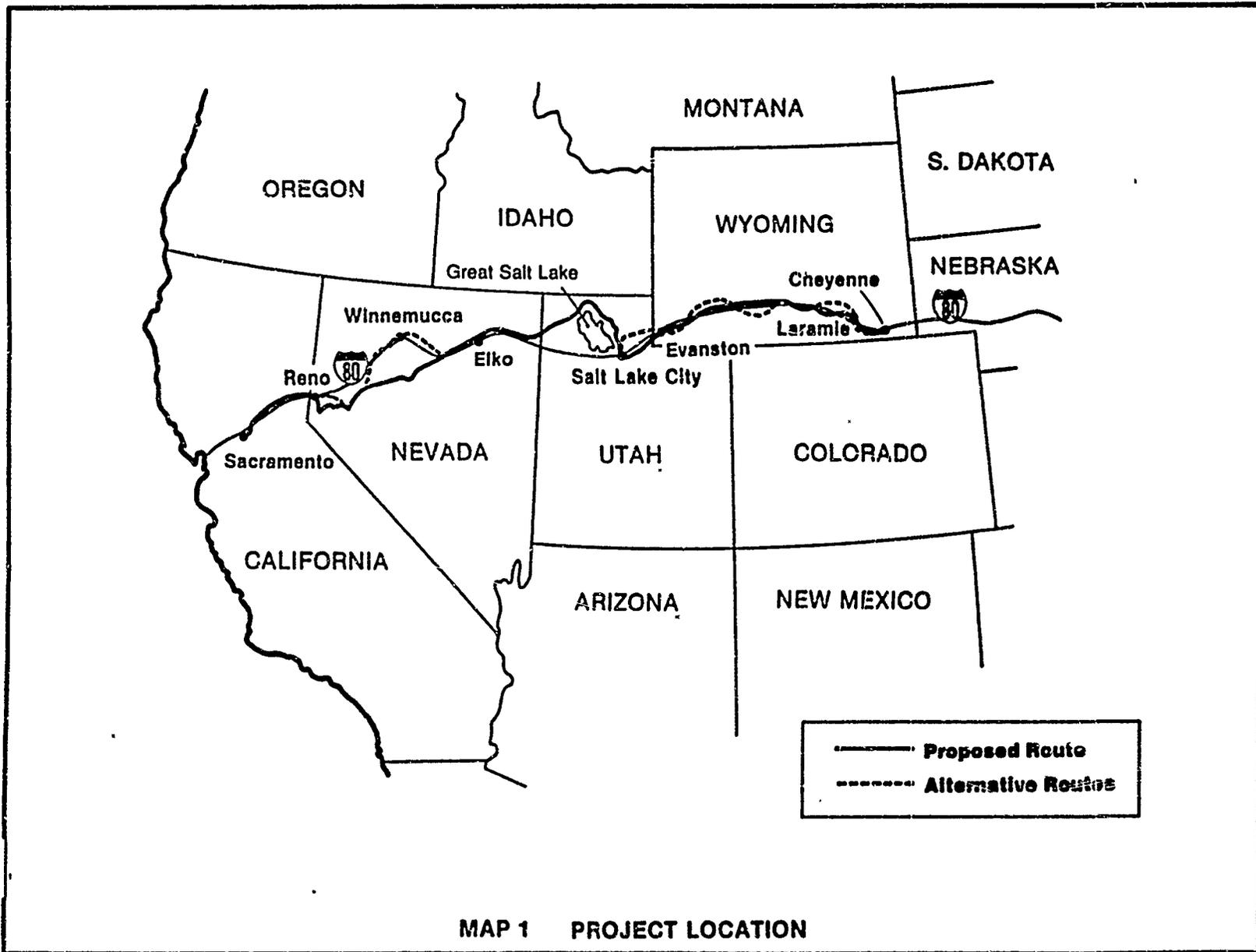
1.1 Project Overview

The American Telephone and Telegraph Company's (AT&T) proposed fiber optic cable project would provide fiber optic communications service from Cheyenne, Wyoming to Sacramento, California (Map 1). Cheyenne is a western AT&T Regional Center and Sacramento is a north-south Regional Center for the Pacific Coast. AT&T anticipates service to Cheyenne, Laramie, Rawlins, Rock Springs, and Evanston, Wyoming; Salt Lake City, Ogden, and Brigham City, Utah; Elko, Fallon, Carson City, and Reno, Nevada; and Sacramento, California. The line would be about 1,135 miles long; key segments would include Cheyenne to Salt Lake City, 431 miles; Salt Lake City to Reno, 561 miles; and Reno to Rancho Cordova (Sacramento), 143 miles.

Project facilities would include 0.5-inch diameter fiber optic cable, regeneration stations every 22 miles, splice boxes every 9,000 feet, marker poles every 1,000 feet, and marker ribbon buried 1 foot below the ground surface and above the cable. The cable would be direct buried a minimum of 48 inches below the ground surface. The cable would be encased in steel conduit under roads, railroads, canals, and flowing rivers, and in PVC conduit when buried in rock.

The right-of-way (ROW) would include a 40-foot construction ROW and a 20-foot permanent ROW. Typical construction disturbance would be 15 feet wide. Where soils are suitable, the cable would be plowed directly into the soil with little or no soil displacement occurring. A ripper would precede the plow in areas of direct burial, and if necessary, a trencher or backhoe would be used. In locations where the cable is placed in a conduit, a trencher will be used. The cable would be buried a minimum of 24 inches in rock, and the rock would be cut using a rock saw/trencher to about a 4-inch wide opening. All flowing rivers and streams would be crossed by directional drilling or boring under the streambed, or by attachment to existing bridges. Intermittent streams would generally be crossed by trenching during dry periods.

Each regeneration station would be located on a 40-foot by 60-foot site and would require an access road and a 12-kV electrical distribution line. Regeneration stations would be earth tone to blend



MAP 1 PROJECT LOCATION

1-2

CALENDAR PAGE	64.1
MINUTE PAGE	1397

into the surroundings. The electrical distribution lines generally would be less than 1 mile long, with the longest line about 10 miles in length. The access roads generally would be less than 0.5 mile long, with one road 4 miles in length. The access roads would be part of AT&T's ROW grant, and the ROWs for the distribution lines would be applied for by each utility involved.

Operation and maintenance would consist of servicing the Regional Network Control Centers and regeneration stations. The regeneration stations would be visited every one to two weeks for inspection and maintenance. The cable would be periodically inspected by aerial reconnaissance to assess ROW stability and potential damage to the cable. The project life is expected to exceed 30 years, although the life of the cable is approximately 75 years. The regenerator and terminal stations would have technical equipment updates as new technologies become available. At the end of cable service, the cable would be abandoned in place. The regeneration stations and all above-ground project facilities would be removed. The station sites would be restored as near as possible to preconstruction conditions.

1.2 Impacts

The environmental impacts expected to result from construction and operation are few in number, low in severity, and not significant. The lack of significant impacts reflects two key project design characteristics: 1) the proposed project would be located within or immediately adjacent to existing telephone, pipeline, road, railroad, or other existing ROWs; and 2) the Applicant has included standard agency environmental protection stipulations in the project design. Table 1-1 provides a summary of the ROWs used by the proposed route. AT&T would use the K-carrier and L4 coaxial cable ROWs which commonly parallel (or are paralleled by) railroads, highways, and pipelines. In response to California Environmental Quality Act (CEQA) requirements, an impact summary is provided in Table 1-2; page numbers referenced in this table are to the Draft EA/EIR.

The Applicant has committed to environmental protection measures which include general measures; specific resource/activity measures;

TABLE 1-1

SUMMARY OF THE RIGHTS-OF-WAY USED BY THE PROPOSED ROUTE

Route Segment	Existing ROW to be Used
Cheyenne, WY to old U.S. Highway (Hwy) 30	AT&T Conduit
Hwy 30 to Laramie, WY	K-carrier cable
Around Laramie (conduit)	L4 coaxial cable and transmission line
Laramie to Emigration Canyon, UT (conduit at Elk Mountain, Rawlins, Rock Springs, Green River, and Evanston, WY; Coalville, UT)	K-carrier cable
Emigration Canyon through Salt Lake City, Ogden, and Brigham City, UT (conduit)	New and existing conduit
Brigham City to Grouse Creek, UT	L4 coaxial cable
Grouse Creek to Oasis, NV	UT State Hwy 30 and NV State Hwy 233
Oasis to Parran, NV (conduit at Wells, Elko, Carlin, NV)	K-carrier cable
Parran to Fallon, NV (conduit at Fallon)	U.S. Hwy 95
Fallon to Carson City, NV (conduit at Payton-New Empire)	U.S. Hwy 50
Carson City to Reno (conduit)	U.S. 395, Bowers Mansion Road
Reno to Auburn, CA	K-carrier cable
Auburn to Rancho Cordova	Folsom-Auburn Blvd. and Folsom Blvd.

TABLE 1-2

CEQA IMPACT SUMMARY TABLE FOR AT&T FIBER OPTIC CABLE PROPOSAL

Issue	Significant Impacts	Potential Adverse Impacts	Project Design Feature	Effectiveness	Mitigation Measure	Effectiveness	Impact Still Adverse
<u>Air Quality</u>							
Construction	None	Fugitive dust	Minimize clearing of ROW and prepare and implement an erosion control and restoration plan (pages 2-23 through 2-32)	High, only temporary and transient dust during construction	None	NA	No
Operation	None	No sources					
<u>Noise</u>							
Construction	None	Temporary noise from construction	Construct during daytime hours	High. Impacts would be temporary and transient	None	NA	No
Operation	None	None	NA	NA	NA	NA	NA
<u>Geology</u>							
Construction	None	Potential increased soil erosion	Minimize disturbance on steep slopes and implement erosion control and restoration plan (pages 2-23 through 2-32)	High	Avoid areas subject to mudflows, (landslides, mudslides, avalanches, rock falls, and other types of mass movement (p. 4-23)	High, where practical	No
	None	Loss of paleontological resources	Will meet all federal and state legal requirements (page 2-33)	High	None	NA	No
Operation	None	None	NA	NA	NA	NA	NA

1-5

CALENDAR PAGE	644
MINUTE PAGE	1400

TABLE 1-2 (CONTINUED)

Issue	Significant Impacts	Potential Adverse Impacts	Project Design Feature	Effectiveness	Mitigation Measure	Effectiveness	Impact Still Adverse
<u>Soils</u>							
Construction	None	Potential increased soil erosion	Minimize disturbance and implement erosion control and restoration plan (pages 2-23 through 2-32)	High	Additional general, clearing and site preparation, rehabilitation, and revegetation and water quality stipulations (pages 4-23, 4-24, and 4-25)	High	No
Operation	None	Potential long-term soil erosion	Same as above plus maintenance program	High	None	NA	No
<u>Water Resources</u>							
1-6 Construction	None	Sedimentation impacts	Same as above plus boring, directional drilling or suspending from bridges the cable at perennial streams	High	Sediment containment (page 4-25)	High	No
Operation	None	Long-term sedimentation impacts	Same as soil operation	High	None	NA	No
<u>Aquatic Biology</u>							
Construction	None	Sedimentation impacts	Same as surface water - construction	High	Sediment containment (page 4-25)	High	No
Operation	None	Long-term sedimentation impacts	Same as soils - operation	High	None	NA	No
<u>Terrestrial Biology</u>							
Construction	None	Disturbance of wetlands	Sorting to avoid wetlands and boring, directional drilling or hanging cable at stream crossings.	High	None	NA	No

MINUTERAGE
 64.5
 1407

TABLE 1-2 (CONTINUED)

Issue	Significant Impacts	Potential Adverse Impacts	Project Design Feature	Effectiveness	Mitigation Measure	Effectiveness	Impact Still Adverse
		Disturbance of threatened, candidate, and other sensitive species	Timing constraints, surveys, and avoidance (pages 2-25, 2-26, and 2-32)	High	None	NA	No
		Disturbance of wintering big game	Timing constraints (page 2-26)	High	None	NA	No
		Disturbance of nesting raptors or sage grouse	Timing constraints and avoidance (page 2-25)	High	None	NA	No
Operation	None	None	NA	NA	NA	NA	NA
<u>Land Use, Land Use Plans and Controls, and Recreation</u>							
Construction	None	Increased off-road vehicle traffic in nondesignated areas	Restrict construction of new access roads, restoration of construction areas, and creation of barriers (pages 2-24 and 2-25)	High	NA	NA	No
		Disruption of grazing and potential loss of cattle	Restore damaged rangeland, maintain and restore fences (pages 2-27, 2-28, 2-29, and 2-31)	High	NA	NA	No
		Increase risks of fires	Fire control plan (page 2-30)	High	NA	NA	No
Operation	None	None	NA	NA	NA	NA	NA

1-7

OPERATION
 SIGNATURE PAGE
 DATE: 6.4.6
 1402

TABLE 1-2 (CONTINUED)

Issue	Significant Impacts	Potential Adverse Impacts	Project Design Feature	Effectiveness	Mitigation Measure	Effectiveness	Impact Still Adverse
<u>Visual Resources</u>							
Construction	None	Visual intrusion by clearing for ROW and by re-generation stations	Use existing corridors or parallel existing corridors. Restoration of ROW. Site, paint, and maintain regeneration stations and distribution lines to minimize visual impacts (pages 2-23, 2-24, 2-26, 2-27, 2-28, 2-29, and 2-30)	High	Prepare plan to minimize visual impacts and to implement special construction procedures where appropriate (page 4-24)	High	No
Operation	None	None	NA	NA	NA	NA	NA
<u>Cultural Resources</u>							
Construction	None	Loss of cultural resources due to construction	Conduct a Class III cultural resource inventory and evaluate all resources within ROW (page 2-33)	High	None	NA	No
Operation							
<u>Socioeconomics</u>							
Construction	None	None	NA	NA	NA	NA	NA
Operation	None	None	NA	NA	NA	NA	NA
<u>Transportation and Utilities</u>							
Construction	None	Disruption of traffic and damage to city streets and rural highways	Bore all crossings of paved roads, minimize construction in traffic lanes, restore all damaged pavement (pages 2-11, and 2-25)		Provide for safety at public road intersections (page 4-24)	High	
Operation	None	Disruption of traffic and damage to city streets and rural highways	Install conduit under city streets and highways to reduce future disruption for maintenance or repairs (pages 2-11 and 2-14)	High	NA	NA	NA

1-8

MINUTE PAGE 64.7
1403

seasonal restrictions; clearing and site preparation; cable installation; backfilling and grading; rehabilitation and revegetation; fire control; visual resources; safety/health; land use; sensitive, rare, threatened and endangered plants and animals and wildlife habitat; water quality; and cultural and paleontological resources. These measures are described in Section 2.1.8 of the Draft Environmental Assessment/Environmental Impact Report (EA/EIR) and will be included in the Construction, Operation, and Maintenance (COM) Plan.

Sensitive resources that would potentially be impacted include steep slopes in mountainous areas of each state; soils subject to rutting when wet in each state; threatened and endangered or sensitive plants in Utah, Nevada, and California; wetlands in Utah and Nevada; threatened and endangered wildlife in each state; raptor breeding areas in Wyoming and California; critical or crucial big game winter range in Wyoming, Utah, and Nevada; sage grouse leks in Utah and Nevada; conflicts with the Management Framework Plan (MFP) in the BLM-Rock Springs District; conflicts with city and county land use plans in Albany County, Cheyenne, and Evanston, Wyoming, and Emigration Canyon of Utah; impacts on Folsom Lake State Park and Golden Spike National Historic Site; and 34 known cultural resource sites in Wyoming, 4 sites in Utah, 20 sites in Nevada, and 23 sites in California. Most potential impacts to these resources would be avoided or mitigated as a result of the Applicant's committed measures. Such measures include: 1) ground inspections and clearance surveys to verify the absence of a resource or to describe the resource in order to recommend mitigation measures such as avoidance; 2) a minor route realignment; 3) seasonal construction restrictions; and 4) environmentally sound construction and reclamation procedures. Agency recommended mitigation includes measures for protection from mass land movements (e.g., mud flows, landslides, and rock falls); special ground access restrictions; preclearing of sensitive vegetation and terrain by hand or specialized equipment; reclamation; visual enhancement; raptor protection; public safety at road crossings; and water quality control measures.

1.3 Alternatives

The Cheyenne to Salt Lake City applicant-proposed alternative would be the same as the proposed route for the U.S. Telecom, Inc. Fiber Optic Cable ROW EA (BLM 1986c). This alternative follows the Southern Pacific (SPRR) and Union Pacific (UPRR) Railroad ROWs. Generally, the impacts would be similar; however, the AT&T ROW would probably be located on the opposite side of the railroad tracks to minimize future servicing conflicts. This alternative would be 60 miles longer than the proposed route and potentially have more locations requiring mitigation of raptor nesting areas and critical big game winter range. This alternative would potentially affect 81 recorded cultural resource sites, 36 of which are UPRR bridges; cultural resources for this alternative are based on a completed Class III survey and, thus, represent a complete count.

The Wells to Reno applicant-proposed alternative would follow the SPRR and UPRR ROWs and is similar to the U.S. Telecom, Inc. Fiber Optic Cable ROW. The impacts would be similar to the proposed route; however, the length of ROW would be greater. This alternative crosses more private land and crosses the Pyramid Lake Indian Reservation. About 44 previously recorded cultural resource sites would be potentially affected versus 20 for the proposed route. This alternative would not service Carson City which is one of the AT&T project objectives.

The No Action Alternative would result in no impacts; however, this alternative would also preclude the provision of fiber optic communications service by AT&T for the 13 cities from Cheyenne to Sacramento.

1.4 Agency Preferred Alternative

Based on its shorter length and minimal impacts, the Proposed Route as presented in the Draft EA/EIR is designated as the Agency Preferred Alternative.

CALIFORNIA	64.9
MINUTE PAGE	1405